

# The case concerning the pelian workers party (pwp)

Law



The Pellian Workers Party (PWP) NAIOS Secretary General RE: The Case Concerning the Pellian Workers Party (PWP)

DATE: February 13, 2014.

Questions

(1) Do the acts of the PWP constitute an armed attack that triggers the right of self defense under international law?

(2) Do the acts permit the NAIOS to launch a military action in collective self defense in accordance with Article 5 of the NIAOS as well as art. 51 of the UN Charter?

Response

In response to the legal questions surrounding the actions of PWP and whether such actions are same like armed attack that need self-defense as provided in the customary international law, I give my response herein.

Q1. Under customary international law, an armed attack is when regular military of one state attack another state with formal declaration of war.

Armed attack is also happen when groups or mercenaries are help by a state to attack another state. PWP is not acting on behalf of the state, but is rather a camp of insurgents who want a better life for Pellians. All the members of PWP are residents of Pell and the group receives financial support from ordinary well wishers, who are Pellians. PWP's actions are not relate with the state. As such, it is clear that the actions of PWP are not the same as armed attack as contained in the customary international law.

Q2. In determining the legitimacy of NAIOS to initiate a joint self-defense against PWP as in Article 5 of NAIOS and Article 51, United Nations Charter, there must be ascertainment that the actions of PWP qualify for armed attack as provided by the two Articles. Looking the case, PWP are just

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insurgents whose actions are criminal in nature and the scope of their actions remains affairs internal to Pell and Aldor. Therefore, the NAIOS has no mandate to launch military revenge in group self-defense. However, NAIOS can provide Pell and Aldor with assistance to effectively deal with their internal matters.